

**Title 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES**  
**Division 1. Department of Mental Health**  
**Chapter 2. Conflict of Interest Code**

ADOPT Section 400 to read as follows:

**400. General Provisions.**

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted Section 18730 of Title 2, California Code of Regulations (CCR), containing the terms of a standard Conflict of Interest Code. Section 18730 may be incorporated by reference, and may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of Section 18730 of Title 2, CCR and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices (in which officials and employees are designated and disclosure categories are set forth), are hereby incorporated by reference. These terms, amendments and Appendices constitute the Conflict of Interest Code of the Department of Mental Health.

Designated employees shall file statements of economic interests with the Department of Mental Health. The Director's original statement shall be sent to the Fair Political Practices Commission and a copy retained by the filing officer.

NOTE: Authority cited: Sections 87300 and 87306, Government Code.  
Reference: Section 87300, et seq., Government Code.

## Appendix A

<u>Designated Employees</u>	<u>Assigned Disclosure Categories</u>
<b><u>DIRECTOR'S OFFICE</u></b>	
<u>Director</u>	<u>1</u>
<u>Chief Deputy Director</u>	<u>1</u>
<u>Special Assistant to the Director</u>	<u>1</u>
<u>Chief, Community and Consumer Relations</u>	<u>1</u>
<u>All Staff Counsels</u>	<u>1</u>
<u>Supervising Special Investigators</u>	<u>4, 5 &amp; 6</u>
<b><u>California Mental Health Planning Council</u></b>	
<u>Executive Officer</u>	<u>1</u>
<b><u>SYSTEMS OF CARE</u></b>	
<b><u>Specialized Programs/Early Mental Health Initiative</u></b>	
<u>Mental Health Program Supervisor</u>	<u>2</u>
<b><u>Specialized Programs/Adult Systems of Care</u></b>	
<u>Mental Health Program Supervisor</u>	<u>2</u>
<b><u>ADMINISTRATIVE SERVICES</u></b>	
<b><u>Employee Safety and Support Services</u></b>	
<u>Staff Services Manager II</u>	<u>3</u>
<u>Associate Governmental Program Analyst</u>	<u>3</u>
<u>Associate Business Management Analyst</u>	<u>3</u>
<u>Hospital Health and Safety Officer</u>	<u>2</u>
<u>Business Services Officer</u>	<u>3</u>
<u>Business Services Assistant</u>	<u>3</u>
<u>Records Management Analyst</u>	<u>3</u>
<b><u>Financial Services</u></b>	
<u>Accounting Administrator I</u>	<u>2</u>
<u>Accounting Administrator II</u>	<u>2</u>
<u>Associate Budget Analyst</u>	<u>4</u>
<b><u>LONG TERM CARE SERVICES</u></b>	
<b><u>State Hospitals</u></b>	
<u>Accounting Administrator I</u>	<u>4</u>
<u>Assistant Hospital Administrators</u>	<u>3 &amp; 6</u>
<u>Chief, Physician and Surgeon</u>	<u>3 &amp; 6</u>
<u>Chiefs of Plant Operations</u>	<u>3</u>

<u>Chief of Professional Education</u>	<u>3 &amp; 6</u>
<u>Data Processing Manager I</u>	<u>2</u>
<u>Director of Dietetics</u>	<u>3</u>
<u>Assistant Director of Dietetics</u>	<u>3</u>
<u>Hospital General Services Administrators</u>	<u>3 &amp; 6</u>
<u>Patient Benefit and Insurance Officers</u>	<u>1</u>
<u>Pharmacy Services Manager</u>	<u>3 &amp; 6</u>
<u>Training Officers</u>	<u>3</u>

### **PROGRAM COMPLIANCE**

<u>Mental Health Program Supervisor</u>	<u>2</u>
<u>Supervising Governmental Auditors I &amp; II</u>	<u>1</u>

### **OTHER**

<u><b>All Career Executive Assignments (CEA)</b></u>	<u>1</u>
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<u><b>All Department Consultants*</b></u>	<u>1</u>
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\*Consultants should be included in the list of designated employees and should disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

With respect to Consultants, the Director; however, may determine in writing that a particular consultant, although a “designated person”, is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in this Section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Director shall forward a copy of this determination to the Fair Political Practices Commission. Nothing herein excuses any such consultant from any other provision of this Economic Interest Code.

## **Appendix B**

### **Disclosure Categories**

#### **Category 1**

Designated employees assigned to this category must report:

Interests in real property located within one mile of any hospital subject to the Department justification, and all investments in business entities and/or nonprofit corporations and income received from sources in the State of California, doing business within the State of California, planning to do business within the State of California, or having done business within the State of California within two years prior to any time period covered in a statement of economic interest.

His or her status as a director, officer, partner, trustee, employee or holder of a management position in any business entity or nonprofit cooperation in the State of California, doing business within the State of California, planning to do business within the State of California, or which had done business within the State of California within two years prior to any time period covered in a statement of economic interest.

With respect to Consultants the Director, however, may determine in writing that a particular consultant, although a “designated person,” is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Director shall forward a copy of this determination to the Fair Political Practices Commission. Nothing herein excuses any such consultant from any other provision of this Statement of Economic Interest.

## **Category 2**

Designated employees assigned to this category must report:

All investments in business entities and/or nonprofit corporations and income received from sources in the State of California, doing business within the State of California, planning to do business within the State of California, or having done business within the State of California within two years prior to any time period covered in a statement of economic interest.

His or her status as a director, officer, partner, trustee, employee or holder of a management position in any business entity or nonprofit cooperation in the State of California, doing business within the State of California, planning to do business within the State of California, or which had done business within the State of California within two years prior to any time period covered in a statement of economic interest.

## **Category 3**

Designated employees assigned to this category must disclose:

Investments in any business entity and/or nonprofit corporation and any income received from a source of the type which, within the previous two years, did contract with the Department of Mental Health or with the State of California to provide services, equipment, leased space, materials or supplies to or on behalf of the Department of Mental Health.

His or her status as a director, officer, partner, trustee, employee or holder of any position of management in any business entity or nonprofit corporation of the type which, within the previous two years, did contract with the Department of Mental Health or with the

State of California to provide services, equipment, leased space, materials or supplies to or on behalf of the Department of Mental Health.

#### **Category 4**

Designated employees assigned to this category must disclose:

Investments in any business entity or nonprofit corporation and any income from a source of the type which, within the previous two years, did receive grants or other monies (excluding monies received pursuant to the contracts as specified above in Category 3 disclosure) from or through the employee's division of the Department of Mental Health. Investments in business entities or nonprofit corporations of the type which provide consultant services to any business entity or nonprofit corporation made reportable by this disclosure category.

#### **Category 5**

Designated employees assigned to this category must disclose:

Investments in any business entity and/or nonprofit corporation and any income from a source of the type which, within the previous two years, was issued a license, permit or certification from, or otherwise regulated by, the division of the Department of Mental Health where the designated employee holds his or her position.

His or her status as a director, officer, partner, trustee, employee or holder of any position of management in any business entity and/or nonprofit corporation which, within the previous two years, was issued a license, permit or certificate from, or otherwise regulated by, the division of the Department of Mental Health where the designated employee holds his or her position.

Investments in business of nonprofit corporations of the type which provide consultant services to any business entity or nonprofit corporation made reportable by this disclosure.

#### **Category 6**

Designated employees assigned to this category must disclose:

Investments in business entities and/or nonprofit corporations and income from sources which may be the recipient of patient referrals for the delivery of health care services or supplies by the employee's hospital.

Investments in business entities or nonprofit corporations of the type which provide consultant services to any business entity or nonprofit corporation made reportable by this disclosure category.